



Havering

L O N D O N B O R O U G H

LICENSING SUB-COMMITTEE EXPRESS KEBAB HOUSE

AGENDA

10.30 am	Monday 16 March 2020	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Philippa Crowder (Chairman)

John Tyler

Natasha Summers

For information about the meeting please contact:

Richard Cursons 01708 432430

richard.cursons@onesource.co.uk

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.



AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENT

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 REPORT OF THE CLERK (Pages 1 - 6)

Procedure for the Hearing - Licensing Act 2003

5 REVIEW OF A PREMISES LICENCE - EXPRESS KEBAB HOUSE 171 SOUTH STREET, ROMFORD RM1 1PS (Pages 7 - 30)

Andrew Beesley
Head of Democratic Services

LICENSING SUB-COMMITTEE

16 March 2020

REPORT

Subject Heading:

Procedure for the Hearing: Licensing Act 2003

Report Author and contact details:

Richard Cursons (01708) 432430
e-mail: richard.cursons@onesource.co.uk

Members are advised that, when considering application for a premises licence, the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 35, paragraphs 3 and 4:

"Where relevant representations are made, the authority must

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
 - 1.1.1 A member of the Licensing Committee will be excluded from hearing an application where he or she has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
 - 1.1.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
 - 1.1.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
 - 1.1.4 has a personal interest in the application.

2. Roles of other participants:

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

3. Location and facilities:

- 3.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 3.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

4. Notification of attendance:

- 4.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

5. Procedural matters:

- 5.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.

- 5.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

Introduction of the application:

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local environmental Health Authority;
- the Local Weights and Measures Authority;
- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party that has submitted the application, certificate, notice or other matter appearing before the Sub-Committee.

At the discretion of the Sub-Committee the above order may be varied.

Cross-Examination:

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

Relevance:

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

The prevention of crime and disorder;

Public safety;

The prevention of public nuisance; and

The protection of children from harm.

6. Failure of parties to attend the hearing:

- 6.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

7. Adjournments and extension of time:

7.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:

- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

8. Sub-Committee's determination of the hearing:

8.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.

8.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.

8.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

9. Power to exclude people from hearing:

9.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:

- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
- that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

10. Recording of proceedings:

10.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

11. Power to vary procedure:

11.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.

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LICENSING SUB-COMMITTEE

16 March 2020

REPORT

Subject heading:

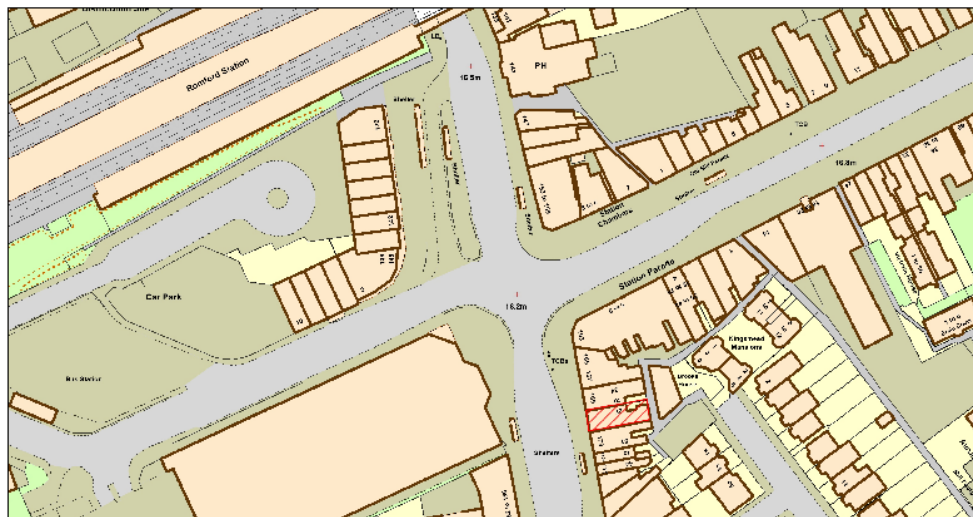
Report author and contact details:





Express Kebab House
171 South Street Romford RM1 1PS
Premises licence review application
Pau Jones Public Protection Officer
Town Hall Main Road
licensing@haverling.gov.uk
01708 432777

This application to review a premises licence is made by Mr Craig Yhnell under s.51 of the Licensing Act 2003. Havering's Licensing Authority received the application on 24th January 2020.

Premises' location

Express Kebab House is located at the junction of Victoria Road and South Street a short distance from Romford Station and the town centre's main transport hub. The premises occupies a ground floor commercial outlet in a parade of similar properties. Upper floors along the parade appear to be residential.



	
	<p>Scale: 1:1000 Date: 19 February 2020 Size: A4</p> 
 <p>London Borough of Havering Town Hall, Main Road, Romford, RM1 3BD Tel: 01708 434343</p>	<p>© Crown copyright and database rights 2020 Ordnance Survey 100024327</p>



Details of the application

The Essex Kebab House premises licence permits late night refreshment to be provided during the following hours:

Monday to Sunday – 23:00 to 04:00

Mr Yhnell submitted this application to review premises licence no. 3308 on 24th January 2020. Earlier the same day the licence had coincidentally been transferred from its previous holder to the current licence holder. It might therefore be reasoned that the issues detailed in the documents attendant to this application occurred during the period prior to the current licence holder's tenure in this role.

Documents accompanying the review application comprise a series of five letters sent to Havering's environmental health team during October and November 2019, and copied in to a number of ward councillors, which alleged noise nuisance emanating from Express Kebab House. In reply, a noise team officer attempted to contact Mr Yhnell on a number of occasions via telephone and email but received no response. The noise complaint was therefore unable to be progressed by the noise team.

The review application indicates that video evidence forms a part of the evidence supporting the review application but at the cessation of the review application's consultation period no video evidence has been provided to the licensing authority.

The letter to the council from Mr Yhnell dated 1st November 2019 confirms:

I have decided that from now on, I will issue a letter every single time I am awoken and disturbed in the middle of the night, due to the noise from Essex Kebab House.

Three further letters were sent to Havering's noise team, the final one dated 8th November 2019.

Comments and observations on the application

Upon submission of this application the licensing authority advertised the application appropriately further to the requirements of regulations 38 and 39 of *The Licensing Act 2003 (premises licences and club premises certificates) Regulations 2005*.

Summary

There were no representations further to this application made by residents, businesses in the vicinity of the premises or responsible authorities.

Ward Councillor Holt submitted a representation in support of this application to review a premises licence.

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Part A

Premises licence number

3308

Part 1 – premises details

Postal address of premises

Express Kebab House
171 South Street Romford RM1 1PS
[REDACTED]

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Late night refreshment

The times the licence authorises the carrying out of licensable activities

Monday to Sunday – 23:00 to 04:00

The opening hours of the premises

Monday to Sunday – 10:00 to 04:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

Not applicable

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mr Rafet Saglam
[REDACTED]

Registered number of holder

Not applicable

1 of 2

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Not applicable

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Not applicable

Mandatory conditions

Not applicable

Annex 2 – conditions consistent with the operating schedule

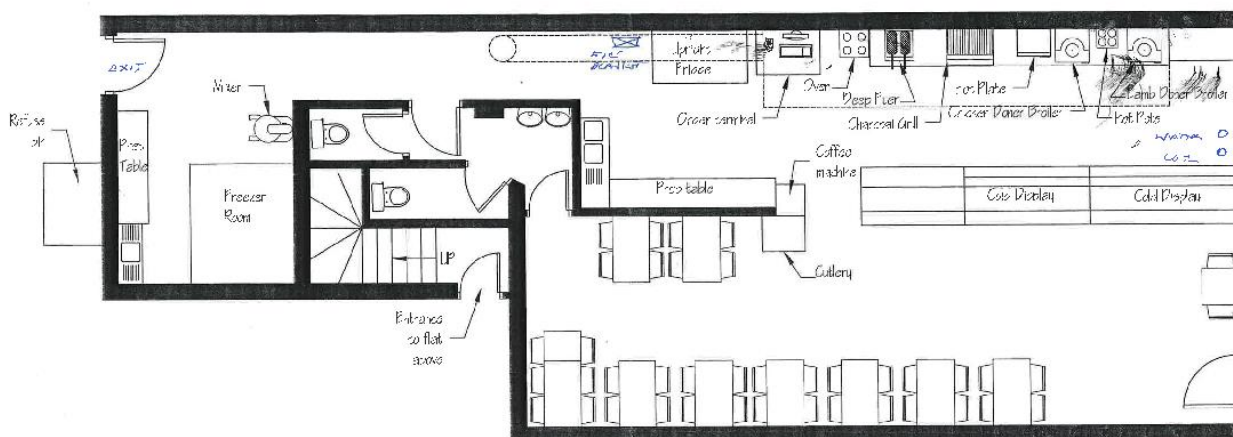
1. Staff shall refuse to serve anyone they consider to be intoxicated, i.e. drunk, or displaying disorderly behaviour and staff shall contact the Police as required.
2. Staff shall monitor customers' behaviour and ask anyone who is causing a nuisance to other customers to leave the premises. Staff shall contact the Police if there are any problems relating to the premises.
3. Staff shall refuse to serve unaccompanied children.

Annex 3 – conditions attached after a hearing by the Licensing Authority

Not applicable

Annex 4 – premises plans

Original premises plans are held by the Licensing Authority of the London Borough of Havering.



2 of 2



Part B

Premises licence summary

Premises licence number

3308

Premises details

Postal address of premises

Express Kebab House
171 South Street Romford RM1 1PS
[REDACTED]

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Late night refreshment

The times the licence authorises the carrying out of licensable activities

Monday to Sunday – 23:00 to 04:00

The opening hours of the premises

Monday to Sunday – 10:00 to 04:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Not applicable

Name, (registered) address of holder of premises licence

Mr Rafet Saglam
[REDACTED]

Registered number of holder

Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Not applicable

1 of 2

State whether access to the premises by children is restricted or prohibited

Restricted

2 of 2

COPY

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Craig Daniel Yhnell

(Insert name of applicant)

Apply for the review of a premises licence / club premises certificate under section 51 / 87 of the Licensing Act 2003 for the premises described in Part 1 below:

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

171 South Street

Post town

Romford

Post code (if known)

RM1 2BX

Name of premises licence holder or club holding club premises certificate (if known)

Essex Kebab House

Number of premises licence or club premises certificate (if known)

1

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

✓

2) a responsible authority (please complete (C) below)

☐

3) a member of the club to which this application relates (please complete (A) below)

☐

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr ☒ Mrs ☐ Miss ☐ Ms ☐ Other title
(for example, Rev)

Surname

Yhnell

First names

Craig Daniel

I am 18 years old or over

Please tick ✓ yes
✓

**Current postal
address if
different from
premises
address**

46 Station Parade,
South Street

Post town

Romford

Post Code

RM1 2BX

Daytime contact telephone number

[REDACTED]

**E-mail address
(optional)**

[REDACTED]

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

- | | |
|---|---------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | ✓ |
| 2) public safety | ✓ |
| 3) the prevention of public nuisance | ✓ |
| 4) the protection of children from harm | ✓ |

Please state the ground(s) for review (please read guidance note 2)

To review and revoke the licence currently held by Essex Kebab House.

Please provide as much information as possible to support the application (please read guidance note 3)

Please see the full context from my email, along with all of the attachments and video evidence.

Please tick ✓ yes

Have you made an application for review relating to the premises before

☐

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--	--

If you have made representations before relating to the premises please state what they were and when you made them

I wrote a letter to my local MP, Andrew Rosindell, who then put me in contact with Councillor Judith Holt. Judith then contact Paul Jones at the Public Protection Office, who then provided me with this form.

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ✓
- I understand that if I do not comply with the above requirements my application will be rejected ✓

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



Date

24/01/2020

Capacity

Applicant

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

From: Yhnell Craig [mailto: [REDACTED]]
Sent: 24 January 2020 11:36
To: Environmental.Health
Cc: CouncillorJudith Holt; CouncillorPhilippa Crowder; [REDACTED]; Paul Jones
Subject: RE: Express Kebab House 171 South Street Romford; ref SRU 125178'

Dear Sir/Madam,

Following the below email from Paul Jones, I am writing to you today to stress my concerns and make a serious noise complaint / public disturbance against Essex Kebab House located on 171 South St, Romford RM1 1PS. For the record, I reside at 46 Station Parade, South Street, Romford, RM1 2BX, which is situated directly above the kebab shop.

Firstly, please see attached all of the letters that I have sent to the council outlining in detail some of the antics that take place outside of the Kebab shop. I would appreciate every single one these letters being thoroughly read, as it clearly outlines the sickening behaviour that goes on.

Furthermore, I would like to restate again that the kebab shop is the main instigator of everything that goes on. If the kebab shop wasn't there, then there would be no trouble or noise at all. The people who own the kebab shop do not take any duty of care in what happens directly outside of their shop even though they are situated in local residency, which is awful in itself. I have video evidence of a car parked outside of the kebab shop (in the bus lane, which I believe is illegal) blaring music full volume, while one of the kebab shop workers is standing next to the car smoking a cigarette and having conversation with one of the men in the vehicle.

I have another video of a person standing outside of the kebab shop once more blaring music full volume from a wireless speaker phone, smoking and drinking alcohol on the streets. A police wagon with multiple police officers drives past the shop, sits at the red lights directly next to them and does absolutely nothing. Surely if someone is drinking alcohol and playing loud music in a local residential area, then the police must intervene and move the people away from the premises. It was then that I realised I had to start phoning 999 and reporting all of these complaints and situations down.

I also have another video of around 15-20 people all hanging around outside of the shop. 2 or 3 boys then begin to argue and start trying to fight each other. When people are making noise, it isn't just loud talking, it's screaming, screeching and it is constant for hours and hours. Once people have brought their food, they should then be moved on away from the premises. It is not a social gathering point for people to come from the hours of 2:00am to 5:00am, Thursday to Sunday and hang out, drink alcohol, smoke drugs (which does happen regularly) play loud music, scream, shout, fight each other and vandalise.

Every single Sunday evening, so the early hours of Monday morning around 2:00am the same group of black males and females come to the kebab shop to hang around for hours on end. They scream, they screech, they swear, they shout vile and

disgusting things, they smoke drugs, they play music on speak phones, and one week decided to vandalise the roadwork equipment that was on the street. One guy took it upon himself to start screaming, kicking and throwing the equipment all over the street and road, continuously booting the shop shutters and then sprinted across the road to start booting the traffic light pole.

Last night the kebab shop was supposed to close at 2:00am, but it remained open till 4:00am. When the kebab shop is supposed to close at 4:00am it remains open till 5:00am. It is absolutely ludicrous a kebab shop should be allowed open until these sorts of time, let alone one situated directly in a local residential area. The couple that live in the flat below me have young baby. I cannot even begin to imagine the grief and stress it is causing on their lives.

The fact of the matter is the kebab shop is the main instigator to everything that happens outside of it. They do absolutely nothing to control it, and clearly do not care what happens outside of it on its premises. There is no duty of care whatsoever. The last time I checked fighting, vandalising, smoking drugs and causing loud disturbance in a public place were all **illegal**.

I am a young man with aspiring goals to do well and be successful in my life. I go to work every single day and I work hard. I am currently working for a large Wealth Management company in the city. My job can be difficult, challenging and at times very stressful. Currently I am working in an assistant role to financial advisers and would like to be a financial adviser one day myself. However, this means that I must study and sit multiple examinations in my own personal time. Therefore, my studying takes place in my own time. The fact that from Thursday to Sunday I'm unable to get a decent night's sleep severely affects my studying time and how much I am able to do. Why should my potential future be affected and ruined by inconsiderate people not taking responsibility for their own actions.

You may be reading this and think that I'm overreacting. Should that be the case, then I invite you to let me come and stand outside of your home, your personal and private space and let me do all of the things I have told you, for the entire weekend, 4 days a week, every single week, for the next of 5 years. Maybe then you might understand the emotional distress I have been forced to go through, and yes **forced** to go through considering I have absolutely no say about when I am able to go to sleep in my **own home**.

To conclude, the only rightful conclusion to solve this situation is to remove the kebab shop from the premises it currently occupies. They are clearly not fit and proper to own and keep control of their shop and all of the illegal activities that take place are because of it. I would be more sympathetic towards them should I have seen any kind of actions to stop what goes on outside, but not once in the 5 years that I have lived there have I ever seen anyone working there try to do anything. I would also like to point out that they are not the only fast food shop / restaurant situated below me. There are at least another 2 shops along the row of shops below me and both of those shops are shut before 12:00pm.

I am unable to attached the video recordings that I have due to the size limits.
Therefore, if somebody could provide me with a mobile number I can send these to you via WhatsApp.

I shall look forward to hearing from you in due course.

Kind regards,

Craig Yhnell

Mr C D Yhnell
46 Station Parade
South Street
Romford
RM1 2BX

London Borough of Havering
Town Hall
Main Road
Romford
RM1 3BD

23rd October 2019

Dear Sir/Madam,

RE: Noise Complaint

My name is Craig Yhnell; I am 24 years old and currently reside in a flat, which is on South Street. My flat is located directly above the bus stop where, Charles Stratton, Londis and Express Kebab House are. I have been living there since April 2015, so around four and a half years, and it has now got to the point where the noise I have to deal with is becoming unbearable. I have tried to block it out as much as I can over the past four and a half years, but the time has come where enough is enough.

Express Kebab House is open until the early hours of the morning on Thursday, Friday, Saturday and Sunday. As there are multiple bars, pubs and clubs minutes down the road, drunken people make their way to the kebab shop around 2am all the way through until 5am every single Thursday, Friday and Saturday, every single weekend, every single year. On most occasions, there must be roughly 20-30 drunken people at once all screaming and shouting continuously for 3 hours. In the four and a half years that I have lived here, there has been at least 20 fistfights, and uncountable arguments.

I have tried my best to try and deal and block out all of this insanely disturbing noise, but after roughly 234 weekends I have reached my limit. I and all of the other tenants' who live in the radius of the kebab shop, should not have to put up with this disturbing noise every single weekend, in our own homes.

In my normal nature, I am not one to complain and perhaps seem so petty, as I am a 24 year old myself. I work in Central London for a Discretionary Investment Management firm on the financial planning team, with aspirations to be a financial adviser myself in the near future. I am still of youth and go out drinking socially in London and locally on the weekends like any other normal person in their 20s. However, I should not be awoken as I am on the weekends in my own free time, especially when it is between 2-5am and I am trying to sleep. I invite you or one of your colleagues to take a few trips over a few weekends and witness it for yourself if you think I am exaggerating or being dramatic.

Over the last few weeks, I have been making video recordings as evidence to what has been going on. On Sunday 20th October, a man and his friend were standing outside the front of the kebab shop talking with the security guard, while playing music via a wireless Bluetooth speaker, as loud as if it were a club (this is not an exaggeration). This started around 1am, to which I shouted out of my window asking them to turn off the music. The music restarted 10 minutes later and did not stop until 5am. I have video evidence of the security guard doing nothing to stop their actions and instead chat with them. I also have video evidence of a police van filled with multiple officers' stop at the lights outside of the kebab shop, drive off and take no action whatsoever. I would also like to point out that google states the shop is only open until 4am. However, the shop is always open until 5am, meaning they are staying open past the time they legally have a licence for, which is illegal. They are doing this week, after week, after week. Another example of this would be last night. I was awoken at 2am by a group of around 10 girls, all screaming and shouting. Google states the kebab shop must close at 2am, yet it remained open until 3am. This again is not only illegal, but causes people to gather and hang around long after the shop closes. Therefore, the group of people did not clear off until 4am on a Wednesday morning, when I have to be up for work at 6am. The only way I am able to block out the noise is by putting in my headphones, turning up the music to the maximum volume possible, and listening to music until the people have cleared. I finally managed to get back to sleep this morning at around 4:30am, to be up again at 6am. This makes me a prisoner in my own home. I or anyone else should not have to be a prisoner in their own home. These people dictate and decided when I am able to sleep.

Lastly, I would like to recommend my solution to this situation. At first, I believed changing the shops closing time to 12am. However, as the shop never obeys it's closing time anyway, I see no other option other than the shop moving location entirely.

I recently wrote and sent a letter similar to this one to my local MP, Andrew Rosindell, to which I have had no response at all. I do hope when reading this, it is taken as serious as it should be. I already suffer with anxiety and this situation is causing me serious emotional distress.

I shall look forward to hearing your response in due course and thank you for taking the time out to listen my problem.

Yours faithfully,

Craig Yhnell

Tel: [REDACTED]

Email: [REDACTED]

Mr C D Yhnell
46 Station Parade
South Street
Romford
RM1 2BX

London Borough of Havering
Town Hall
Main Road
Romford
RM1 3BD

1st November 2019

Dear Sir/Madam,

RE: Noise Complaint

Following my recent letter dated 23rd October 2019, I am saddened that I have not had any kind of response from yourselves or my local MP. Therefore, I have decided that from now on, I will issue a letter every single time I am awoken and disturbed in the middle of the night, due to the noise from Essex Kebab House.

Last night, I was awoken at 2am to the noise of screaming and shouting from young drunken people outside my bedroom window. I got up to have a look outside of my window, to see around 20-30 people all standing around as if this place was a social gathering spot. At around 2:45-3:00am fireworks began to be set off by these drunken people directly outside of my home, in the middle of the street. The fireworks continued until around 3:30am and only stopped when the sound of police sirens could be heard. The noise and gathering of people continued until around 4:30-4:45am. Once again, the Kebab shop, which is licenced to stay open until 4:00am, remained open until at least 4:30am.

As this was only Thursday night, I still have tomorrow evening, Saturday evening and Sunday evening to put up with the same disturbance once more. I shall look forward to writing those letters over the weekend.

Yours faithfully,

Craig Yhnell

Tel: [REDACTED]

Email: [REDACTED]

Mr C D Yhnell
46 Station Parade
South Street
Romford
RM1 2BX

London Borough of Havering
Town Hall
Main Road
Romford
RM1 3BD

4th November 2019

Dear Sir/Madam,

RE: Noise Complaint

Following my recent letter dated 1st November 2019, I am writing to you once again to make a complaint against Essex Kebab House.

In the early hours of Saturday morning, I was awoken at around 2:30am. Once more, there was around 20-30 people gathered outside of the kebab shop. For a short period (around 30 minutes) music was being played. There was excessively loud arguing and shouting between the hours of 2:30 – 5:00am. I would like to point out again that the kebab shop is supposed to shut at 4:00am, but once again, it remained open until at least 4:30am, 30 minutes past its licenced closing time. This meant the hanging around and shouting of people continued until around 5:00am.

In the early hours of Sunday morning, I was awoken at around 2:00am to the exact same scenario as the previous evening. The noise did not stop until 4:45am.

In the early hours of this morning (Monday morning), I was awoken at around 2:30am. A large group of black males were smashing bottles, throwing each other into shop shutters, while screaming and shouting as loud as they possibly could. They were also accompanied by a group of black females who were also shouting extremely loudly, entertaining the boys behaviour and encouraging them. This went on until around 5:00am this morning, meaning I was awoken at 2:30am and kept awake until I had to be up for work at 6:00am.

I would like to once more again stress the ongoing emotional distress this is causing me night after night, week, after week.

I shall look forward to this continued torture again this coming Thursday evening through to Monday morning. Or perhaps I'll dive head first out of my window to save myself the trouble.

Yours faithfully,

Craig Yhnell

Tel: [REDACTED]
Email: [REDACTED]

Mr C D Yhnell
46 Station Parade
South Street
Romford
RM1 2BX

London Borough of Havering
Town Hall
Main Road
Romford
RM1 3BD

6th November 2019

Dear Sir/Madam,

RE: Noise Complaint

Following my recent letter dated 7th November 2019, I am writing to you once again to make a complaint against Essex Kebab House.

In the early hours of this morning, I was awoken at around 2:20am. Once again, there was a group of around 15-20 people hanging around outside of the kebab shop. One of the boys was getting louder and excited saying that he "was on a mad one" and "had been on a mad one for 8 days now". At around 2:45am, having had enough, I opened up my window and shouted down to them, asking if they could please move on if they had bought their food, to which I received a response off "fuck off you cunt". I did not bother replying and closed my window. They eventually cleared off at around 3:00am. I would like to point out again having searched online it confirms the shop is open until 2:00am. I have short video evidence on my mobile phone from last night, that the shop was still open at 2:34am.

I shall look forward to writing another letter later on this week.

Yours faithfully,

Craig Yhnell

Tel: [REDACTED]
Email: [REDACTED]

Mr C D Yhnell
46 Station Parade
South Street
Romford
RM1 2BX

London Borough of Havering
Town Hall
Main Road
Romford
RM1 3BD

8th November 2019

Dear Sir/Madam,

RE: Noise Complaint

Following my recent letter dated 6th November 2019, I am writing to you once again to make a complaint against Essex Kebab House.

In the early hours of this morning, I was awoken at around 3:00am. There was around 15-20 people hanging around the kebab shop, shouting, swearing and so on. At around 3:30am, the shouting started to get even more intense. I looked out my window to see 3-4 people having a row trying to fight each other, only to be stopped by screaming girls in the middle breaking them apart from each other. One of the boys was continuously accusing one of the other boys of pulling a "blade" out on him and trying to knife him. I have video footage of some of the row on my phone, to once again evidence the ridiculous and insanely loud disruption I have to put up with when I am trying to sleep. The people finally cleared away from the kebab shop at around 5:00am. Once more, I googled the kebab shop to check what time it was supposed to have closed. It confirmed the shop was closed and had been since 2:00am. This clearly isn't the case, as the shop remained open until at least 4:45am.

Once more, as it is only Friday night, I shall look forward to more of this the entire weekend all the way through to Monday. I have an important exam I am sitting next week, which is vital to my career progression. To say the current situation I have to deal with is affecting that would be an understatement.

I shall look forward to writing my next letter come Monday morning.

Yours faithfully,

Craig Yhnell

Tel: [REDACTED]

Email: [REDACTED]



Havering
LONDON BOROUGH

Licensing Authority
Town Hall
Main Road
Romford
Essex
RM1 3BD

London Borough of Havering
Main Road
Romford
Essex
RM1 3BD

Our Ref:

Date: 20th February 2020

Dear Sir or Madam,

**Application for a Premises Licence Review
Express Kebabs, 171 South Street, Romford, Essex, RM1 1PS**

I understand that a Premises Licence Review of the above address has been requested by Mr. Craig Yhnell.

I should like to make a written representation IN SUPPORT OF THE REVIEW as an interested person in my capacity as Ward Councillor for Romford Town Ward, the electoral ward in which lies 171 South Street.

I have been shown by Mr. Yhnell his video recordings and written descriptions of anti-social behaviour at Express Kebabs and consider that it fails to comply with the following Licensing Objectives:

- the prevention of crime and disorder;
- the prevention of public nuisance.

Among the incidents of **repeated anti-social behaviour** shown by the videos are customers outside the shop, making **noise**, including shouting, swearing and fighting, the latter being clearly a **threat to community safety**. Often, this has happened in the early hours of the morning, when the residents of the flats above in Station Parade are trying to sleep. I understand that Mr. Yhnell has had to involve the **police**. He has written a number of times to **report** the incidents and to complain to Havering Council and, as his letters say, the disruption is so bad that his sleep is regularly disturbed. Also, the times on the videos

show that the kebab shop has been open till after 4.00 a.m., **breaching** the terms of its licence.

I should like to request that these points are given serious consideration in the reviewing of the Premises Licence for Express Kebabs. Indeed, given its proximity to the flats in Station Parade and other flats in South Street and Victoria Road, and its potential as a magnet for late-night drinkers, I would question whether, in 2007, it was appropriate to have given the licence at all.

I have made this written representation within the timescale noted on the Notice of Application for Review, between the dates of 25th January 2020 and 21st February 2020 inclusive.

Yours faithfully,



Councillor Judith Holt

judith.holt@haverling.gov.uk

Romford Town Ward Councillor